

COUNCIL ON RECYCLING

c/o Planning and Evaluation Section
Bureau of Waste Management
Department of Natural Resources
Box 7921
Madison, Wisconsin 53707
608/267-7566

May 10, 2005

Governor Jim Doyle
115 East, State Capitol
Madison, WI 53701

Dear Governor Doyle:

We are pleased to enclose a copy of the Council on Recycling's 2004 Annual Report. Even though our report is no longer required, the Council feels that it is important to report the past year's accomplishments and our goals for the future.

The Council on Recycling focused on four major recycling areas during 2004:

Computers, Televisions and other electronic devices: (E-Scrap)

Electronic scrap represents both one of the fastest growing waste streams, a source of toxic materials that should not be landfilled, and raw materials that can be recovered and put back into commerce. Building upon previous recommendations, the Council met as a committee of the whole to discuss this issue and made a number of recommendations to legislation introduced by Rep. (now Sen.) Mark Miller. While the legislation did not pass, the Council hopes that a modified version of this or similar legislation is introduced on this very important topic.

Mercury in products:

Mercury is an extremely toxic material, and DNR studies have shown that discarded products in Wisconsin release more to the environment than do all of the coal-burning utilities in the state combined. Wisconsin is clearly in the national forefront in this area, having developed leadership studies of mercury from products and establishing community collection programs across the state. The Council received quite a bit of background on this issue and will sharpen its focus to areas where the Council can make a difference.

Paper:

Paper is the single largest component of the municipal waste being landfilled, but higher market prices offer an opportunity for more recycling, saving resources, providing raw materials to our paper industry, and producing revenues for recycling programs. Quality and quantity are major issues for the paper industry, while efficiency of collection and processing are major challenges of the recyclers. One of the most controversial issues involves single-stream recycling. The Council was actively engaged in this discussion and is going to be very involved in this ongoing issue in 2005.

Construction and Demolition (C&D):

Construction and demolition debris makes up one of the largest segments of landfilled waste in Wisconsin, accounting for nearly 30% of all landfilled waste on a statewide basis, and 45% in at least one county. The Council has been kept abreast of a number of new developments in the C&D area. The Council was pleased to see groups like WasteCap Wisconsin, the Associated Recyclers of Wisconsin and the Wisconsin Builders Association partner for Green Building initiatives. While there exists a great deal of momentum for green building projects, green demolition is still in neutral. The Council will address that issue in the coming year.

The Council has also been tracking the Department of Commerce's Used Oil Absorbent Task Force, which was developed in response to state legislative recommended by the Council. The Council is looking forward to helping implement the Task Force recommendations.

Goals for 2005:

The Council will continue to focus its resources on these issues for 2005. While progress has been made, these issues are very much alive and resistant to simple solutions. Continuing work on these issues is not only important for recycling but for the whole state.

The Council will also be involved with the redesign of the Waste Program within the DNR. The Council has been kept abreast of the Waste Program activities and will continue to offer support and counsel.

The Council looks forward to engaging the recycling community, local governments, state agencies and the public in promoting recycling and making a difference for Wisconsin.

Sincerely,

John Reindl
Chair- Council on Recycling

CC:	Sen. Lasee	Rep. Gard	Secretary Hassett
	Sen. Schultz	Rep. Huebsch	Secretary Burke
	Sen. Kedzie	Rep. Fitzgerald	
	Sen. Robson	Rep. Kreuser	
	Sen. Hansen	Rep. Richards	
		Rep. Gunderson	

COUNCIL ON RECYCLING

2004 ANNUAL REPORT

Prepared for:

Governor JIM DOYLE

and the

Legislature

of the

State of Wisconsin

Prepared by:

The Council on Recycling

C/O Planning and Evaluation Section
Bureau of Waste Management
Department of Natural Resources

MAY 2005

Questions concerning this report or the Council on Recycling may be directed to:

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COUNCIL ON RECYCLING

Elected Officers/Executive Committee for 2004:

Chair: John Reindl, Recycling Manager, Dane County

Vice-Chair: Jeffrey A. Fielkow, Director of Operations, Recycle America

Secretary: William A. Swift, Recycling Broker

Members:

Susan Hundt Bergan, Retired, former DNR Recycling Team Leader (resigned 2-1-04)

Neil Peters-Michaud, CEO, Cascade Asset Management (7-1-04)

John S. Piotrowski, Senior. Env. Engineer, Packaging Corp. of America

Cecelia A. Stencil, Rusk County Recycling Coordinator

Charlotte R. Zieve, Retired UW Lecturer in Environmental Studies

COUNCIL ON RECYCLING

2004 ANNUAL REPORT

Executive Summary:

Membership: Seven-members representing business, industry and local governments

Purpose: Advises Governor, legislature, DNR and other agencies on recycling policy

Major issues: Recycling of electronics- particularly computers and televisions, product stewardship, recycling of used oil filters and used oil absorbents, increasing paper recycling, mercury-containing products, construction and demolition debris.

Background

The Council on Recycling, authorized in s. 287.22 Wis. Stats., is a citizens group appointed by the Governor to advise the Governor, Legislature, state agencies and local units of government on solid waste reduction, recovery, and recycling policy. The Council is attached to the Department of Natural Resources (DNR) for limited purposes and is staffed by the DNR. Each member appointed to the Council serves a 4-year term expiring on the date of commencement of the next gubernatorial term. Terms of members appointed in the interim also expire on that date. Current membership includes individuals representing industry, business, and local units of government.

Councils that serve in an advisory capacity are required under s. 15.09(3), Wis. Stats., to meet at least annually, although the Council on Recycling has met a minimum of 5 times a year since its first meeting on December 5, 1990. Meetings are usually held on the second Tuesday of the month and are open to the public. Council members take an official oath prior to assuming office and are bound by the code of ethics for public officials as provided under Chapter 19, Wis. Stats. The Council conducts business in accordance with its by-laws, Robert's Rules of Order, and the open meeting laws of the state of Wisconsin.

Council Responsibilities and Powers

The Council responsibilities, specified under s. 287.22, Wis. Stats., are to promote the efficient and prompt implementation of state programs related to solid waste reduction, recovery, and recycling, and to advise the Governor and Legislature on such matters. Specifically, the Council has the following duties:

Advise and assist state, county, and municipal officials in coordinating programs and the exchanging of information.

Advise the DNR and the University of Wisconsin System concerning educational efforts and research.

Advise the DNR concerning the development of a statewide plan for public service announcements.

Assist the Recycling Market Development Board if it develops rules. (Note: The Recycling Market development Board is no longer in existence but this statute has not been changed to reflect that action)

The statute also provides the Council with powers to execute its duties. The Council may request a status report from any state agency or authority implementing a solid waste reduction, recovery, or recycling program; and the Council may create subcommittees to assist in its work. A subcommittee can be formed from individual Council members, state employees, county and municipality representatives, and others.

State Agencies' Obligations to the Council on Recycling

Section 287.22(4), Wis. Stats., requires state agencies to assist the Council in fulfilling its duties to the fullest extent.

The Council has discussed numerous recycling issues since its inception. Many issues have been discussed for informational purposes and have not required or generated specific action by the Council. On issues where the Council has chosen to take action through the adoption of a recommendation, the approach has been to communicate that position to the Governor's office, the Legislature, state agencies and/or other interested parties.

Activities of the Council, 2004

Discussion of past activities and the positions taken by the Council in 2004 are summarized below. This summary is based on information discussed before the Council at its regular meetings and contained in the minutes. All meeting minutes are public records and are available from the Planning and Evaluation Section, Bureau of Waste Management, DNR.

Overview

The Council met 6 times in 2004.

The Council reviewed past Council activities and determined priorities for 2004.

The Council's maintains an e-mail list of 86 people/organizations and also has 5 people on its' non-email mailing list. E-mail/Mailing list recipients receive agendas, minutes and background materials. This is one of the ways the Council keeps organizations and individuals around the state informed of the Council's activities and to invite input to our meetings.

Committees

The Council created 4 committees to focus their efforts in 2004. They were: Electronics, mercury containing devices, paper and construction and demolition (C&D).

Major topics addressed in 2004:

The Council decided to focus on 4 major areas in 2004:

- Computers, Televisions and other electronics
- Mercury in products
- Paper
- Construction and Demolition (C&D)

The Council will also track the progress of the Department of Commerce workgroup on used oil filters and oil absorbents.

Computers, Televisions and other Electronics (Charlotte Zieve-Chair):

The Council met as a committee of the whole on this topic. It consumed the most time and attention during the year. The Council's used legislation introduced by Rep. Mark Miller (now Sen. Miller) as the basis for discussion. The Council reaffirmed their previous recommendations:

1. Developing state procurement guidelines
2. Diverting electronics using a financing system that is incorporated into the price of the product
3. Phase in ban that would apply to all computers (eliminating the household exemption)
4. Certification system to ensure that there was some certainty that the material was recycled or reused.

The Council also made specific recommendations regarding Rep. Miller's bill, including:

- 1) Rather than the detailed requirements for the individual producers to develop recycling plans and the standards for collection/recycling

programs, the legislation instead require the establishment of a third party organization (TPO) to set up a system for a take-back and recycling program

- 2) Each manufacturer pays the fees established by the TPO for the receipt and collection of the covered electronics unless the manufacturer develops an equivalent system.
- 3) Support the requirement that manufacturers provide funding to the state for state oversight of the program.
- 4) Intensive and extensive education programs to both the household sector and the non-household sector on the requirements to keep electronic scrap out of landfills and on the opportunities for recycling. This responsibility should be placed on the manufacturers or the third party organization, although they can contract with other entities for the performance of this work.
- 5) In addition to our prior recommendation on state purchasing, we also recommend that the purchasing requirements of the state include provisions for the "Design for the Environment" with certification of sellers in accordance with nationally recognized standards.
- 6) Finally – and perhaps most important in the long run – we stress our recommendation that the Legislature and the Governor encourage Congress to develop legislation for a national electronics recycling program.

This legislation did not pass during the 2003/04 session. Sen. Miller has indicated that he will introduce similar legislation in the 2005/06 session.

Mercury in Products- Jeff Fielkow, Chair:

Randy Case, DNR, briefed the Council on the issue. He said that many communities were involved in mercury reduction efforts. The DNR is working with the Wisconsin Dental Association, the EPA and the National Hospital Association on retrieving dental amalgam mercury. Several Wisconsin communities have passed resolutions banning mercury devices from being sold in their jurisdictions. Many state, local and national groups are involved in this issue. The Council will review this issue in 2005 and sharpen its focus to areas where it can make a difference.

Paper- John Piotrowski Chair:

The Council heard reports that the markets were very strong for paper for all of 2004 and the foreseeable future. Perhaps the most volatile issue facing paper is the advent of single-stream recycling. There is quite a bit of debate about whether or not the quality is lost in single-stream collections. The other major issue revolves around strategies to increase paper recycling to alleviate a shortage of recycled stock. Surveys were done of paper mills and recyclers to find out what they viewed as impediments to increased recycling of paper.

Construction and Demolition-Neil Peters-Michaud:

This committee got off to a late start. The committee did note that there are several groups working on projects in this area, including WasteCap Wisconsin and the Associated Recyclers of Wisconsin.

Other issues of Note:

The Council also discussed:

- The rules revision package for NR 544 (the recycling law)
- Strong price support for recycled materials
- The City of Kenosha's participation in a Pilot Project to substitute wood, block and stone for glass bottle collection
- DNR's Waste Minimization project
- Single stream recycling, and
- Landfill stability and possible extension of landfill leachate lines

GOALS, 2005

The Council identified the major areas of concern that they will pursue in 2005, although other issues may develop. They are:

- Computers, Televisions and other electronics
- Construction and Demolition (C&D)
- Landfill stability
- Mercury in products
- Paper
- Used oil filters and absorbents

CONCLUDING THOUGHTS:

The Council on Recycling devoted most of the year 2004 to the issues surrounding electronics recycling. The Council believes that this is the most important issue the state will face in the near future. The Council has also identified several other major issues it intends to pursue. Two of these issues- paper recycling and construction and demolition debris recovery- offer substantial economic gains as well as environmental benefits. The Council will also serve as a forum for organizations and individuals to discuss the significant issues of the day. The Council will continue to give advice and seek solutions for the difficulties and opportunities facing recycling in Wisconsin today.

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COUNCIL ON RECYCLING 2004

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